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| EXAMINER |
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FISCHETTI, JOSEPH A

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| ART UNIT | PAPER NUMBER |
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3627

DATE MAILED: 02/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/839,037

Applicant(s)

NAISH ET AL.

Examiner

Joseph A. Fischetti

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) 1-13 and 24-36 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Election/Restrictions

Applicant's election without traverse of claims 14 -23 in Paper No. 8 is acknowledged.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 14, 15, 16 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Muhme.

a processor 40; a memory operably coupled to the processor and having program instructions stored therein, the processor being operable to execute the program instructions, the program instructions including:

receiving secure area part reception information by the data processing system from a customer client via a computer network (wireless interface 102 which communicates egress and ingress information of containers 50));

updating secure area inventory information stored on a storefront database by the data processing system using the secure area part reception information (inventory interface 124);

receiving secure area part issuing information by the data processing system from the customer client via the computer network (wireless interface 102 which communicates egress and ingress information of containers 50); and

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updating the secure area inventory information by the data processing system using the secure area part issuing information (inventory interface 124 updated contents of database of items in inventory).

Re claim 15: the facility is read as the customer.

Re claims 16, 18: the facility is read as being a neutral site.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 14, 17, 19-20, 22,23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nelson in view of Muhme.

Nelson discloses: RE claim 17 generating by the data processing system a new part invoice when a new part is being issued according to the secure area part issuing information (read as the quote interface 120 which in effect is an invoice because it identifies part quantity and price); and generating by the data processing system a fixed price invoice for rebuilding a rotatable part core when a rotatable part is being issued

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according to the secure area part issuing information (read as the quote interface 120 which in effect is an invoice because it identifies part quantity and price).

Re claim 19: accessing a customer profile database (OFR database) including customer document customization information associated with customer identification information col. 4 lines 38-59); retrieving by the data processing system from the customer profile database customization information using the customer identification information and generating by the data processing system customized documents using the customization information (see col. 4 lines 43 –59 where it is stated that a filter driven customization of docs is retrieved sorted to the customer's requirements).

Re claim 20: receiving by the data processing system from the customer client via the communications network core return information including a quantity of cores returned see col. 5 lines 4-20 re scrap or core details); incrementing a core credit by the quantity of cores returned (deemed to be obvious that pats would have some value and that an obvious expedient would be to give some credit for the scrap part. Also, Official notice is take to these ends with regards to store credits such as at SEARS for battery core kept by the store for scrap but given credit on the new purchase); receiving by the data processing system from the customer client via the communications network rotatable part issue information including a quantity of rotatable parts to issue (see col. See col. 4 lines 60 et seq. for disclosure of part information); and updating the secure area information if the quantity of rotatable parts to issue is not greater than the core credit quantity (this step is deemed to be a matter of account design practice without patentable distinction..

Re claim 22: maintaining by the data processing system in the storefront database a history of part transactions for a secure area Data held in OFR database col. 4 lines 20-

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23); receiving by the data processing system a part transaction history request from a client via the computer network, the part transaction history request including a part number see col. 4 lines 38-67; and generating by the data processing system a part history report document using the history of part transactions and the part number (see col. 4 lines 60-67, col. 5 lines 1-3).

Re claim 23. col. 5 line 7 discloses links to an alternatively formatted part history report document e.g., details.

Muhme discloses as set forth above a secure area in which inventory is stored. It would be obvious to combine this feature with the structure of Nelson the motivation for this would be that this would keep tighter control of products and reduce shrinkage due to theft.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nelson in view of Muhme as applied above, and further in view of Byford.

The aforesaid combination fails to disclose storing in-transit shipment information in the storefront database, the in-transit shipment information including a waybill number from a carrier for accessing shipment status information from a carrier Web server; and receiving by the data processing system from a client via the computer network an in-transit shipment query; and generating by the data processing system an in-transit document including a hypertext link to the carrier Web server, the hypertext link comprising the waybill number. However, Byford does disclose such a internet based tracking system for parcels. It would be obvious to modify Nelson with Byford to include the tracking system because the motivation would be to have readily accessible internet tracking for all items.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Any inquiry concerning this communication should be directed to Joseph A. Fischetti at telephone number (703) 305-0731.

JF
Prim Exam 3627